REMARKS

Claims 1-3, 5-14, and 16-33 are pending in the present application. In the Final Office Action, claims 1-2, 5-13, and 16-33 were rejected under 35 U.S.C. § 102(b) as allegedly being obvious over Walker, et al (U.S. Patent No. 5,771,390) in view of Angelo, et al (U.S. Patent No. 6,581,162). Claims 3 and 14 were rejected under 35 U.S.C. § 102(b) as allegedly being obvious over Walker in view of Angelo and admitted prior art. The Examiner's rejections are respectfully traversed.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (CCPA 1974). Independent claims 1, 12, 25, 28, and 31 set forth, among other things, an indicator configured to indicate when the computer system is in a secure operating mode, a first timer configured to indicate a duration in which the indicator is active, and control logic coupled to receive the duration from the first timer. The control logic is configured to provide a control signal upon the duration reaching a predetermined value.

Walker describes techniques for triggering the transition of a computer from a suspend state to a suspend-to-disk state. The suspend state and the suspend-to-disk state are states used in power management that consume varying amounts of power. For example, the suspend state results in a large number of components and peripherals receiving reduced or no power. The suspend-to-disk state causes power to the computer system to be completely removed. Timers or clocks are typically disabled in the suspend state, which may make it difficult to implement this state in a manner that permits later transition to the suspend-to-disk state. See Walker, col. 1, line 38-col. 2, line 16. Accordingly, Walker describes setting a real-time clock alarm prior to

placing the computer in the suspend state. When the real-time clock alarm expires, the computer system may transition from the suspend state to the suspend-to-disk state. See Walker, col. 5, line 59-col. 6, line 57 and Figure 3. However, as admitted by the Examiner at paragraph 13 on page 8 of the Office Action, Walker does not teach or suggest any operating modes of the computer that include secure operating modes. Accordingly, Walker does not teach or suggest using the real-time clock alarm to determine a duration of a secure operating mode.

The Examiner relies upon Angelo to describe a system management mode that may be used to implement a secure operating mode. Angelo describes techniques for creating, storing, and using encryption keys in a distributed computing environment. In particular, Angelo describes system management interrupts that may be asserted by a system management interrupt timer, by a system requests, or by other means. A system management interrupt active signal may be provided by a processor to indicate operation in a system management mode. See Angelo, col. 7, line 55 – col. 8, line 11. However, Angelo does not (explicitly or inherently) describe or suggest a timer configured to indicate a duration of a secure operating mode.

Thus, Applicants respectfully submit that neither Walker nor Angelo teaches or suggests a timer configured to indicate a duration of a secure operating mode.

Applicants further submit that neither Walker nor Angelo provide any suggestion or motivation to modify the prior art of record to arrive at the claimed invention. In the Final Office Action, the Examiner alleges that Walker describes using timers to determine when to enter and/or exit certain power management modes, such as the system management mode. The Examiner also alleges that Angelo describes the use of the system management mode to provide computer security. Thus, the Examiner alleges that the combination of Walker and Angelo suggests the use of timers configured to indicate durations of secure operating modes.

Applicants respectfully disagree. As discussed above, the timers described by Walker are used to determine when to transition between power management modes because pre-existing timers may be disabled in certain power management modes. However, the prior art does not teach or suggest that these timers are disabled in different secure modes. Thus, even if the timers described by Walker were combined with the system management mode described by Angelo, the prior art of record still fails to provide any suggestion or motivation for utilizing these timers to indicate durations of the secure operating modes.

The admitted prior art describes a south bridge. However, the admitted prior art fails to remedy the aforementioned fundamental deficiencies of Walker and Angelo.

For at least the aforementioned reasons, Applicants respectfully submit that the Examiner has failed to make a *prima facie* case that the present invention is obvious over the prior art of record and request that the Examiner's rejections of claims 1-3, 5-14, and 16-33 under 35 U.S.C. 103(a) be withdrawn.

For the aforementioned reasons, it is respectfully submitted that all claims pending in the present application are in condition for allowance. The Examiner is invited to contact the undersigned at (713) 934-4052 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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